

Serial No. 10/719,013
Reply to Office Action of June 8, 2005

Docket No. MDR-0004

REMARKS/ARGUMENTS

Claims 17, 19-39 and 43-48 are pending in the present application. By this Amendment, claims 17, 38, 43 and 44 are amended. Claims 18, 40, 41 and 42 are canceled without prejudice to or disclaimer of the subject matter contained therein, and claim 48 is added. No new matter has been added.

Applicant acknowledge the indication on page 4, item 15 of the Office Action that claims 18-22, 25-36, 42-44 and 47 recite allowable subject matter. Consequently, by this Amendment, claim 17 is amended to include the allowable features of claim 18. Claim 38 is amended to include the allowable features of claim 42 and the features of intervening claims 40 and 41. Claims 43 and 44 are amended to revise their dependence resulting from the cancellation of claim 42.

Claim 48 is claim 26 rewritten in independent form.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal if necessary. Entry is thus requested.

Serial No. 10/719,013
Reply to Office Action of June 8, 2005

Docket No. MDR-0004

I. REPLY TO REJECTIONS

On page 2, item 2 of the Office Action, claims 17, 23, 24 and 27 are rejected under 35 U.S.C. § 102(e) over U.S. Patent Publication No. 2003/0047174 to Tiberius et al. (hereinafter "Tiberius"). On page 3, item 7 of the Office Action, claims 38-41, 45 and 46 are rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,497,229 to Maeda (hereinafter "Maeda").

Claim 17 has been amended to include the allowable feature of claim 18. Consequently, claim 17 is patentable over Tiberius. Claims 23, 24 and 27, which depend from claim 17, are also patentable over the applied reference to Tiberius for at least the reasons discussed above and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

As to claim 38, claim 38 is amended to include the allowable features of claim 42, and intervening claims 40 and 41. Consequently, claim 38 is patentable over the applied reference to Maeda. Claims 39, 45 and 46 which depend from claim 38, are likewise patentable over the applied reference to Maeda for at least the reasons discussed above and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

II CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the

BEST AVAILABLE COPY

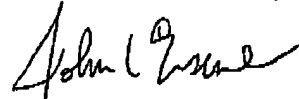
Serial No. 10/719,013
Reply to Office Action of June 8, 2005

Docket No. MDR-0004

application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Seth S. Kim**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



John C. Eisenhart
Registration No. 38,128
Seth S. Kim
Registration No. 54,577

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3701 DYK/JCE/SSK:knv
Date: **NOVEMBER 30, 2005**

Please direct all correspondence to Customer Number 34610

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office
(Fax No. 571-2283000 on 11/30/05)
Name Karen Williams
Signature [Handwritten Signature]